

**Department of Environmental Protection
17 State House Station
Augusta, ME 04333-0017
(207) 287-2651**

**GENERAL INFORMATION FOR
REGISTRATION OF UNDERGROUND OIL STORAGE TANKS**

The purpose of this registration is to gather information on underground tanks that store or have stored petroleum products. Registration is required for all underground oil storage facilities regardless of tank size or type of petroleum product stored and regardless of whether the tanks are in service or out of service. The information you provide should be accurate and based upon reasonably available records, or, in the absence of such records, to the best of your knowledge or belief.

1. Who must register an underground oil storage tank?

The tank owner is responsible for registering all tanks. Completed registration forms for new and replacement underground oil storage facilities and tanks must be submitted to the Department of Environmental Protection (DEP) at least ten (10) business days prior to installation. If the ownership of an existing tank is uncertain or in dispute, the current owner of the property where the tank(s) are located must register it. The registration requirements are set forth in Title 38, § 563, of the Maine Revised Statutes Annotated (MRSA) and in Chapter 691, § 4 of DEP rules.

2. What tanks must be registered?

All tanks that meet the state definition of underground oil storage tank must be registered. State law at 38 MRSA section 562-A, subsection 22 defines a tank as "any container, 10% or more of which is beneath the surface of the ground and which is used, or intended to be used, for the storage, use, treatment, collection, capture or supply of oil". The term does not include "any tanks situated in an underground area if these tanks or containers are situated upon or above the surface of a floor and in such a manner that they may be readily inspected". Oil means "petroleum products and their by-products of any kind and in any form including, but not limited to, petroleum, fuel oil, motor oil, sludge, oil refuse, oil mixed with other waste, crude oil, and waste oil and all other liquid hydrocarbons regardless of specific gravity".

The following categories of tanks are exempt from the underground oil storage facility registration requirements of DEP rules. Tanks and piping located aboveground where less than ten percent (10%) of the tank is located below ground septic tanks; pipeline facilities (including gathering lines) regulated under the Federal Natural Gas Pipeline Safety Act of 1968, or the Federal Hazardous Liquid Pipeline Safety Act of 1979; instate pipeline facilities regulated under State laws (38 MRSA § 563); surface impoundment's, pits, ponds or lagoons; surface water or waste water collection systems; flow-through process tanks except where used for treatment; liquid traps or associated gathering lines directly

related to oil or gas production and gathering operations; and storage tanks situated in an underground area (such as a basement, cellar, mineworking, drift, shaft, or tunnel) if the storage tank is situated or above the surface of the floor and fully inspectable.

If you are in doubt as to whether you are the owner of an underground storage tank, you are encouraged to register the tank using this form.

3. What substances are covered in the term oil?

All liquid petroleum and petroleum products except propane are included by state law.

4. Where should I register?

Please send the registration form to: MDEP-BRWM, 17 State House Station, Augusta, ME 04333-0017 ATTN: Tank Registration section. A copy must also be filed with the local fire department, or if the facility is located in an unorganized township, with the Land Use Regulation Commission. Remember to keep a copy for your own records.

5. When should I register my tank?

Owners of underground oil storage tanks existing as of March 1, 1985 should have registered by February 1, 1986. Tanks installed after March 1, 1985 must be registered ten (10) days before installation.

6. Restrictions on tank location.

A new provision of Maine law, 38 MRSA § 563-C may prohibit the siting of a new underground oil storage facility near drinking water supplies.

After September 30, 2001, a person may not register, install, or cause to be installed a new underground oil storage facility, referred to in this section as a "facility," that is:

- A. Within the source water protection area of a public drinking water supply mapped by the Department of Human Services (DHS) prior to the registration or installation of the facility, or within 1,000 feet of the public water supply, whichever is greater; or
- B. Within 300 feet of a private water supply in existence at the time the facility owner applied to register the facility.

"Source Water Protection Area" means an area that contributes recharge water to a public water supply well for a public drinking water supply that is mapped by DHS. *The maps can be obtained at local town offices, or through the Maine Bureau of Health drinking water program at (207) 287-2070, or are available on the Maine Drinking Water Program website at www.maine.gov/dhs/eng/water/index.htm.*

7. Exemptions.

The siting prohibitions listed above in 6A and B do not apply to:

- A. Replacement or expansion of a underground facility registered and installed on or before September 30, 2001, provided the replacement or expansion occurs on the same property and the owner or operator continues to pay the annual registration fee as required by 38 MRSA § 563(4). Failure to pay the annual fee disqualifies a facility from being considered exempt under this section.
- B. Conversion of an aboveground oil storage facility registered and installed on or before September 30, 2001, to an underground oil storage facility, provided the conversion occurs on the same property;
- C. A facility used solely for the storage of heating oil that is consumed on site;
- D. Underground piping associated with an aboveground oil storage facility; or
- E. A well located on the same property as a facility and serving only users on that property.

8. Variance.

The commissioner may grant a variance from the siting prohibition under some circumstances. See 38 MRSA, § 563-C, subsection 3. **A variance application can be obtained by contacting the DEP tanks licensing unit at (207) 287-2651.**

9. Penalties.

The registration of all underground oil storage tanks is critical to developing a sound environmental program for managing and locating these tanks. For this reason, the Legislature has required that late fees and penalties be assessed to owners who neglect to properly register their tanks. Tank owners who knowingly fail to notify or who submit false information to the Department may be subject to a civil penalty of up to \$10,000 for each tank for which notification is not given or false information is submitted.

10. Questions and assistance.

For assistance in completing the registration form or answering questions about the rules for underground oil storage facilities, please call (207) 287-2651 and ask for someone in the Underground Storage Tank Program.

11. Amended registration.

Owners must amend the tank registration in writing to the DEP if:

- A. The facility is sold or otherwise transferred;

- B. The facility is modified, e.g., new tanks or piping, change of product stored; retrofitting of or changes in leak detection or overfill prevention equipment; etc.

Registration must be amended within ten (10) business days of the date of the change. For a change in ownership, the new owner is responsible for notifying the commissioner of the change. A person who has not submitted an amended registration as required must pay a late fee of \$100.

12. What registration fees are required?

A registration fee of \$100 is required for each tank [except for tank(s) serving single family residences] located at the facility beginning January 1, 2009 and every three (3) years thereafter upon receipt of a bill from the department.

The department will bill the underground oil storage tank owner after receiving and reviewing the registration materials. The department may prorate the fee for new installations to put all tank owners and operators on the same billing cycle.

Attach a check for the applicable registration fee, made payable to the State of Maine Groundwater Fund, and return this form to Attn: Tank Registration, Maine Department of Environmental Protection, 17 State House Station, Augusta, ME 04333-0017.

MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION

**REGISTRATION FORM
FOR UNDERGROUND OIL AND PETROLEUM PRODUCTS
STORAGE TANKS**

(Pursuant to 38 M.R.S.A. Section 563, 40 CFR Part 280)

STATE USE ONLY
DATE OF REGIST. ____/____/____

Instructions: Please complete both section A and B of this form. The first part of section A will help you determine if the Maine laws limiting the siting of new underground oil tanks applies to your facility. Section A-2 provides guidance for new facilities located near wells and water supplies and must be completed if you answered “no” to all of the questions in A-1. Section B covers the information necessary for all tank registrations regardless of where the facility is located.

SECTION A

**IF YOU ANSWER YES TO ANY OF THE QUESTIONS BELOW, THEN
YOUR FACILITY IS EXEMPT FROM THE SITING RESTRICTIONS.
CONTINUE TO SECTION B OF THE TANK REGISTRATION FORM.**

Recent legislation limits where new underground oil tanks maybe installed. (See 38 M.R.S.A. section 563-C). The purpose of the legislation is to protect wells and water supplies from contamination. To determine if this law applies to your tank installation, please fill out section A of the tank registration form.

Section A-1

To determine if the Maine law governing siting of new underground oil tanks applies to your tank(s), please answer yes or no to the following questions:

1. Were all of the tanks you are registering installed before September 30, 2001?
YES: **NO:**
2. Will the new facility be used solely to store heating oil that is consumed on site (not re-sold)?
YES: **NO:**
3. Is the facility replacing an aboveground oil storage facility registered and installed before September 30, 2001 and presently on the same property?
(If yes, please enter registration # here _____)
YES: **NO:**
4. Is the facility replacing or expanding an underground oil storage facility presently on the same property and registered and installed on or before September 30, 2001?
(If yes, please enter registration # here _____)
YES: **NO:**

**IF YOU ANSWERED NO TO ALL OF THE QUESTIONS ABOVE THEN COMPLETE
SECTION A-2 (SEE NEXT PAGE).**

SECTION A-2

You must supply map coordinates of the corners of the facility or facilities footprint, and groundwater monitoring wells. All coordinates must be in UTM (Universal Transverse Mercator), North American Datum 1983 (NAD 83), Zone 19 North standards and must be sub-meter accuracy & precision. Map coordinate units for UTM are in **meters**.

(NOTE: Please do not submit state plane coordinates which are in feet.)

Based on your response to the questions in section A-1, you are preparing to register a facility that may be subject to the siting restrictions of 38 MRSA § 563-C. To determine if and how these restrictions apply, please answer the following questions. **Please be sure your answers are accurate. Failure to provide accurate answers could result in delays of the installation of your underground oil storage facility.**

1. *Will any portion of the underground oil storage facility be installed after September 30, 2001?* If no, then Section A-2 does not apply to the tank(s) you are registering – go to Section B.
YES: **NO:**

2. *Will any portion of the facility be located within 300' of a private well or water supply?*
This does not include a private well located on the same lot as the facility and serving only users living on that property. The term "facility" includes tanks, product piping, dispensing facilities, vent piping and stage II vapor recovery piping (if required).
YES: **NO:**

3. *Will any portion of the facility be located within the source water protection area of a public drinking water supply mapped by the Department of Human Services or within 1000' of a public water supply, whichever is greater?* Maps of source water protection areas are available on the web at www.maine.gov/dhs/eng/water/index.htm. Public water supplies are defined as any well or water supply where water is obtained for, sold, furnished or distributed to the public for human consumption. To be a public water supply, the well or water supply must meet one or more of the following requirements:
YES: **NO:**
 - Serve more than 15 connections OR
 - Regularly serve at least 25 individuals daily for at least 60 days of the year OR
 - Provide bottled water for sale where the water is pumped from on site.

4. *Does the public well or water supply serve a school or community water supply system?* (A school is an institution for the formal classroom instruction of children in grades K-16. A community water system is a public water system that serves at least 15 service connections used by year-round residents or regularly serves at least 25 year-round residents.)
YES: **NO:**

5. *Will any portion of the facility be located within a mapped significant sand & gravel aquifer?*
YES: **NO:**

Maine law prohibits installation of USTs within sand and gravel aquifers mapped by the Maine Geological Survey unless a variance is obtain from the Department of

Environmental Protection (DEP). See 38 MRSA § 563-A and Chapter 691, section 3-A of the Department's rules to determine if you are eligible to apply for a variance. In considering whether to grant a variance, the Commissioner may consider the importance of the groundwater resource, any engineering or monitoring measures proposed by the applicant, the geology of the site and other relevant factors.

If the answer to #2 or #4 above is **YES** then a new underground oil storage facility may not be installed unless the applicant proves there is no hydro-geologic connection between the proposed facility and the water supply at issue. Contact the DEP at (207)287-2651 to obtain information on the procedures to follow to determine if a hydrogeologic connection exists.

If the answer to #3 is **YES** (and the answer to #4 is NO) then a **variance from the siting restriction** may be granted upon written application if the DEP determines that the proposed installation is designed to exceed minimum regulatory requirements and will effectively minimize releases of oil and the likelihood of drinking water contamination. **PLEASE CONTACT THE DEPARTMENT FOR A VARIANCE APPLICATION.**

If the answer to #5 is **YES** Please review Chapter 691, Section 3-A D to determine if a variance may be applicable for the proposed site.

The commissioner shall not grant a variance from the prohibition in Chapter 691, section 3-A of the Department's Rules Section 3-A(C) if any part of the proposed facility site overlies a mapped aquifer that has high potential as a future Public drinking water resource.

**Department of Environmental Protection
17 State House Station
Augusta, ME 04333-0017
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SECTION B

1. REGISTRATION NUMBER: _____
(Complete only if a registration number has been previously assigned by the Maine Department of Environmental Protection.)

2. FACILITY INFORMATION:

Facility Name: _____

Street Address to Facility: _____
Street Address *Apartment/Unit #*

City *State* *Zip Code*

Mail Address to Facility: _____
Street Address *Apartment/Unit #*

City *State* *Zip Code*

Facility Phone Number: _____

Directions to Facility: _____

3. TANK OWNER:

Current Owner: _____

Owner Mailing Address: _____

Street Address *Apartment/Unit #*

City *State* *Zip/Postal*

Current Owner Phone and Fax Number: _____

Phone Number *Fax Number*

4. TANK OPERATOR (if different from owner):

Current Operator: _____

Owner Mailing Address: _____

Street Address *Apartment/Unit #*

City *State* *Zip/Postal*

Current Owner Phone and Fax Number: _____

Phone Number *Fax Number*

5. CONTACT PERSON:

Name *Phone Number*

6. FACILITY SITING:

- | | YES | NO |
|--|--------------------------|--------------------------|
| A. Are any planned or existing tank(s) (including piping and pumps) within 1000 feet of a public water supply source? | <input type="checkbox"/> | <input type="checkbox"/> |
| B. Are any planned or existing tank(s) (including piping and pumps) within 300 feet of a private water supply source? | <input type="checkbox"/> | <input type="checkbox"/> |
| C. (Complete if the answer to "B" above is YES .) Is the water supply which is located within 300 feet of the tank(s) owned by someone other than the facility owner or operator? | <input type="checkbox"/> | <input type="checkbox"/> |
| D. Is the facility located on a sand and gravel aquifer or recharge area as mapped by the Maine Geological Survey? | <input type="checkbox"/> | <input type="checkbox"/> |
| E. Is the facility located within a 100 year floor plain? Federal Emergency Management Agency (FEMA) maps showing floodplain locations are available at most municipal offices. | <input type="checkbox"/> | <input type="checkbox"/> |

NOTE: If you wish assistance in answering items (D) and (E), please call the Department at (207) 287-2651 and ask for staff within the tanks registration program. Sand and gravel aquifer maps can be reviewed at any of the Department's offices or purchased for a nominal fee from the Maine Geological Survey, 22 State House Station, Augusta, ME 04333 (207) 287-2801

7. FACILITY USE (check one):

- | | |
|---|--|
| <input type="checkbox"/> Wholesale Distribution of Oil | <input type="checkbox"/> Oil Storage at a Multi-family Residence |
| <input type="checkbox"/> Retail Distribution of Oil | <input type="checkbox"/> Oil Storage/Public Facility |
| <input type="checkbox"/> Oil Storage at a Commercial Establishment for On-site Consumption | <input type="checkbox"/> Oil Storage at a Single Family Residence |
| <input type="checkbox"/> Oil Storage at an Industrial Establishment for On-site Consumption | <input type="checkbox"/> Oil Storage/Municipal or Public School Facility |
| <input type="checkbox"/> Oil Storage/Federal Facility | <input type="checkbox"/> Oil Storage/State facility |
| <input type="checkbox"/> Oil Storage/Farm | |

8. ADDITIONAL INFORMATION:

The following information is required for all new and replacement facility registrations or piping upgrades/extensions. Additional information will be required if the facility may be subject to siting restrictions.

- A. A scale drawing of the proposed facility tied to a property marker or other permanent structure. The drawing must show the proposed location of all the tanks, piping and dispensers and other facility components intended to contain product (either as a liquid or vapor) relative to other site features, including existing buildings monitoring wells and adjacent roads. If this is a replacement or upgrade installation, then the drawing must show the location of the new tank or piping relative to existing tanks, piping and dispensers. For new or replacement motor fuel facilities or piping upgrades, the proposed location of the tank pad, piping runs and dispensers should be marked onsite.
- B. For new or replacement motor fuel storage facility, a sketch showing distances and bearings to private wells within 400 feet and public water supplies within 1200 feet. See Attachment "A" for example.

9. INDIVIDUAL TANK DATA: Complete for each tank

<p>A. Tank Type A.= Steel - bare or asphalt coated C.= Cathodic-Single Wall E.= Fiberglass-Single Wall G.= Fiberglass-Double Wall V.= Jacketed - Double Wall W.= Cathodic Steel – Double Wall N.= Other _____</p>	<p>D. Tank Leak Detection 0.=Unknown 4.=Manual Groundwater Sampling 5.=Automatic Tank Gauge 7.=Secondary Containment-Continuous Electronic 8.=Secondary Containment - Manual Monitoring 9.=SIA Statistical Inventory Analysis 10.=None</p>	<p>F. Tank Status A.=Planned B.=Active C.=Out of Service D.=Abandoned in Place (Filled) E.=Planned for Removal F.=Removed (Date)</p>
<p>B. Piping Type (same codes as tank) or D.=Steel w/ secondary O.=Copper X.=Flexible Single Wall Y.=Flexible-Double Wall Z.=Copper w/secondary</p>	<p>E. Product Stored 1.=Kerosene 2.=#2 Fuel Oil 5.=#5 Fuel Oil 19.=Unleaded Plus 23.=Unleaded Regular 24.=Aviation 25.=Jet Fuel 28.=Unleaded Premium 29.=Diesel 81.=Waste Oil 99.=Other (please specify)</p>	<p>G. Pump Type: (1) Suction (2) Pressure (3) Suction & Return (10)= None</p>
<p>C. Tank Size Size of Tank in gallons</p>		<p>H. Pipe Leak Detection (Use same Codes as Tank except): 6.= In-Line Leak Detector 11.= Conforming Suction System</p>
		<p>I. Dispenser Leak Detection 1.= Dispenser Sump 2.= Dispenser Sump & Continuous Electronic Monitoring 3.= n/a</p>
		<p>J. Overfill & Spill 2.=Electronic 90% Cap 5.=Automatic Shutoff (95% capacity) 6.=Automatic Alarm (90% Capacity) 7.=Vent Whistle</p>
		<p>K. Date Installed</p>

	A.	B.	C.	D.	E.	F.	G.	H.	I.	J.	K.
TANK #1											
TANK #2											
TANK #3											
TANK #4											

- 10. MAKE TWO (2) COPIES OF THIS FORM.** Submit the original to Attn: Tank Registration, Maine Department of Environmental Protection, 17 State House Station, Augusta, ME 04333-0017. Send one (1) copy to the local Fire Department having jurisdiction. Retain the third copy for your records. For new and replacement tank(s), the registration form is due at least ten (10) business days prior to installation.

Attach a check for the applicable registration fee, made payable to the State of Maine Groundwater Fund, and return this form to Attn: Tank Registration, Maine Department of Environmental Protection, 17 State House Station, Augusta, ME 04333-0017.

- 11.** Your registration shall not be considered complete and will be returned to you if both Sections A and B are not completed.

- 12. IF NEW, REPLACEMENT OR RETROFITTING EXISTING TANKS OR PIPING ARE INCLUDED WITH THIS REGISTRATION, PLEASE PROVIDE:**

Name of Installer: _____

Installer ID Number: _____

Date of Planned Installation: _____

- 13. CERTIFY THIS FORM BY SIGNING.** By signing this form, I, the tank registrant, certify that all information is accurate and complete to the best of my knowledge, and that I will comply with all applicable federal, state, and local laws and regulations concerning the underground storage of petroleum products. The owner or operator is required by Maine statues to file an amendment to this registration with the Department of Environmental Protection immediately upon any change of information contained in this form.

Owner or Authorized Employee of Owner Signature

Title (Please Print or Type)

Date

Rev. 5/2009

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